

# **EXHIBIT A**

IN THE DISTRICT COURT OF SWEETWATER COUNTY, WYOMING  
THIRD JUDICIAL DISTRICT

FILED  
DISTRICT COURT  
THIRD JUDICIAL DISTRICT  
SWEETWATER COUNTY, WY

PAUL CLARK and VICKY CLARK  
Plaintiffs,

v.

DHALIWAL TRUCKING, LLC, a  
California limited liability corporation.  
and SANDEEP SINGH,  
Defendants.

JUL - 7 2020

DONNA LEE BOBAK  
CLERK OF COURT

Civil No. 20-189

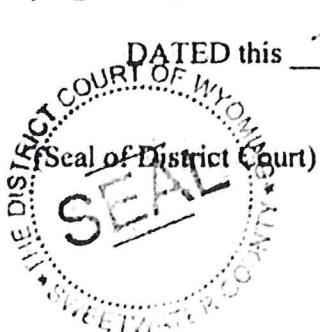
BY DEPUTY CLERK

SUMMONS

To: **DHALIWAL TRUCKING, LLC**  
367 Hetherington Cir.  
Yuba City, California 95993

**Registered Agent:**  
Kuldeep Singh Dhaliwal  
367 Hetherington Cir.  
Yuba City, California 95993

YOU ARE HEREBY SUMMONED and required to file with the Clerk and serve upon the Plaintiffs' attorney, an Answer to the Complaint which is herewith served upon you, within twenty (20) days after service of this Summons upon you, or if service is made outside the State of Wyoming, within (30) days after such service, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.



*Donna Lee Bobak*

Clerk of Court

By: *R. Anderson*  
Deputy Clerk

ORIGINAL

**Attorney for Plaintiff:**  
**Bret F. King, 5-2353**  
**King & King, LLC**  
**P.O. Box 40**  
**Jackson, WY 83001-0040**  
**(307) 733-2904**  
**(307) 733-1058 Fax**

**COPY**

BRET F. KING  
King & King, LLC  
P.O. Box 40  
Jackson, WY 83001  
Telephone (307) 733-2904  
Facsimile (307) 733-1058  
*bret@kingwyo.com*

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DISTRICT COURT  
THIRD JUDICIAL DISTRICT  
SWEETWATER COUNTY, WY

APR 24 2020

DONNA LEE BOBAK  
CLERK OF COURT

BY \_\_\_\_\_ DEPUTY CLERK

**IN THE DISTRICT COURT OF SWEETWATER COUNTY, WYOMING**

## THIRD JUDICIAL DISTRICT

PAUL CLARK and VICKY CLARK, )  
Plaintiffs, )  
Civil No. 20-189-L  
V. )  
DHALIWAL TRUCKING, LLC, a )  
California limited liability corporation, )  
and SANDEEP SINGH, )  
Defendants. )

**COMPLAINT**

Plaintiffs, Paul Clark and Vicky Clark, by and through the undersigned counsel, and for cause of action against the above-named Defendant(s), state and allege as follows:

## PARTIES AND JURISDICTION

1. At all times material hereto, Plaintiffs are and were residents of the State of Idaho.
2. Defendant Dhaliwal Trucking, LLC is a California limited liability corporation.

Defendant Sandeep Singh, at all times relevant hereto, was a truck driver employed by Defendant Dhaliwal Trucking, LLC.

4. This Court has subject matter jurisdiction herein as the amount in controversy exceeds Fifty Thousand Dollars (\$50,000.00).

5. This Court has personal jurisdiction and venue is appropriate pursuant to Wyoming Statute §1-5-107 and §1-5-109 because a substantial part of the events and omissions giving rise to the claims herein occurred in Sweetwater County, Wyoming.

#### **FACTS COMMON TO ALL CAUSES OF ACTION**

6. Plaintiffs hereby incorporate by reference paragraphs 1 through 5 as if fully set forth herein.

7. On July 18, 2018, Paul Clark was driving a Ford Explorer on I-80 East near milepost 97, between Rock Springs and Green River in Sweetwater County, while his wife, Vicky Clark, sat as a passenger in the vehicle.

8. Mr. Clark moved into the left lane to pass a semi-truck owned by Dhaliwal Trucking, LLC, and being operated by Dhaliwal Trucking, LLC's employee Sandeep Singh.

9. While the Clarks were passing Singh's truck, Singh drifted into the left lane and collided with the right, rear tire of the Clarks' vehicle, causing it to skid to the left and then flip and roll over one and a half times.

10. As a result of the accident, Plaintiffs were seriously injured and incurred damages.

11. Singh was negligent and such negligence includes, but is not limited to the following:

a. Singh failed to exercise due care and caution for the safety and health of Plaintiffs;

- b. Singh operated the vehicle he was driving in an unsafe manner under the circumstances then and there existing;
- c. Singh failed to maintain control of his vehicle;
- d. Singh was otherwise negligent.

#### CLAIMS FOR RELIEF

##### First Cause of Action: Negligence (Both Defendants)

12. Plaintiffs hereby incorporate by reference paragraphs 1 through 11 as if fully set forth herein.

13. Singh owed Plaintiff's a duty to operate the semi-truck he was driving in a reasonably safe manner.

14. Singh breached this duty when he negligently drifted into the left lane and struck the Clarks' vehicle, causing it skid and flip.

15. As a direct and proximate result of the above-mentioned negligence, Plaintiffs were injured and suffered damages. Such damages are in excess of the jurisdictional minimum of this Court and are as follows:

- a. Medical expenses incurred by Plaintiffs in the past and those which they can reasonably expect to incur in the future, both in amounts to be set forth at the time of trial;
- b. Past and future pain, suffering, disability, loss of enjoyment of life and general damages in an amount to be set forth at trial.

16. Dhaliwal Trucking, LLC is liable for the negligence of its employee, Singh, under the theory of respondent superior. *See Austin v. Kaness*, 950 P.2d 561 (Wyo. 1997).

**Second Cause of Action: Negligence Per Se (Both Defendants)**

17. Plaintiffs hereby incorporate by reference paragraphs 1 through 16 as if fully set forth herein.
18. Singh's negligent operation of the semi-truck violated Wyoming Statute §31-5-209.
19. Plaintiffs are members of the class meant to be protected by this statute.
20. Singh's negligence per se directly and proximately caused Plaintiffs' damage, as set forth above.

21. Dhaliwal Trucking, LLC is liable for the negligence of its employee, Singh, as set forth above.

**Third Cause of Action: Negligent Hiring and Supervision (Dhaliwal Trucking, LLC)**

22. Plaintiffs hereby incorporate by reference paragraphs 1 through 21 as if fully set forth herein.
23. Dhaliwal Trucking, LLC operates a business transporting goods and supplies over long distances using trucks often weighing several tons, which involves the risk of harm to others.

24. Dhaliwal Trucking, LLC was negligent or reckless in its hiring, retention and supervision of Singh and knew or had reason to know that Singh would likely operate the semi-truck in a manner involving unreasonable risk of physical harm to himself and others.

25. Dhaliwal Trucking, LLC knew or should have known that Singh was incapable of safely operating the semi-truck.

26. Dhaliwal Trucking, LLC's negligent hiring, retention and supervision of Singh directly and proximately caused Plaintiffs' damages, as set forth above.

**Fourth Cause of Action: Negligent Entrustment (Dhaliwal Trucking, LLC)**

27. Plaintiffs hereby incorporate by reference paragraphs 1 through 26 as if fully set forth herein.

28. Dhaliwal Trucking, LLC directly supplied the semi-truck to Singh when Dhaliwal Trucking knew or had reason to know Singh would likely use the semi-truck in a manner involving unreasonable risk of physical harm to himself and others.

29. Dhaliwal Trucking, LLC's negligent entrustment of the semi-truck to Singh directly and proximately caused Plaintiffs' damages, as set forth above.

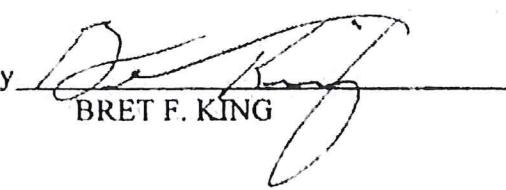
**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs Paul Clark and Vicky Clark, pray for judgment against Defendants Dhaliwal Trucking, LLC and Sandeep Singh as follows:

- i. Past and future medical expenses, in an amount to be set forth at trial;
- ii. Past and future pain, suffering, disability, loss of enjoyment of life and general damages in an amount to be set forth at trial.

DATED this 21st day of April, 2020.

KING & KING LLC

By   
BRET F. KING